United Nations ST/IC/2004/27

Secretariat

22 July 2004

Information circular*

To: Members of the staff

From: The Assistant Secretary-General for Human Resources Management

Subject: **United Nations sabbatical leave programme for 2005**

1. The purpose of the present information circular is to invite staff to apply for the sabbatical leave programme in 2005, in accordance with the provisions of administrative instruction ST/AI/2000/4 of 5 April 2000.

Eligibility

2. Administrative instruction ST/AI/2000/4 defines the conditions under which staff members may be granted sabbatical leave. For purposes of eligibility for the 2005 sabbatical leave programme, section 2 of document ST/AI/2000/4 provides that the programme is "open to United Nations staff members with five years of service with the Organization and who are expected to serve for no less than two years after the completion of the sabbatical leave".

Selection of institution

3. Interested staff members are responsible for identifying the institution or organization in which they propose to carry out their research or study project and for securing their acceptance by that institution or organization. In addition to universities and independent institutions worldwide, including participating research and training centres of the United Nations University and institutions that are members of the Academic Council on the United Nations System, research or study projects may also be pursued in other relevant organizations and institutions. Staff members may wish to consult the list of institutions that are members of the Academic Council on the United Nations System contained in annex II to the present circular and the list of participating research and training centres of the United Nations University contained in annex III.

* Expiration of the present information circular: 31 December 2005.

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Application procedures

4. Applicants are requested to complete the application form contained in annex I to the present circular and to submit it, through their respective head of office or department, together with a proposal describing the research or study project that they wish to pursue, to the Officer-in-Charge, Sabbatical Leave Programme, Room S-2500, Division for Organizational Development, Office of Human Resources Management, United Nations, New York, NY 10017, by 5 November 2004. Letters of recommendation should be sent to the same address.

5. The proposal, which should not exceed four pages, should contain the following information:

(a) Title of the research or study project;

(b) Field of the research or study project;

(c) Rationale for the research or study project;

(d) Relationship of the research or study project to the work of the individual and to the work of the Organization;

(e) Outline of the topic or topics to be covered;

(f) Study and/or research activities;

(g) Detailed methodology;

(h) Schedule of work of the research or study project, with an indication of any preparatory work already accomplished;

(i) Usefulness of the expected outcome of the research or study project and its practical implications for the individual and the Organization;

(j) Endorsement by the head of office or department or Chief Administrative Officer of mission responsible for the work of the applicant during the proposed research or study project.

Applicants should indicate in the application form the name and address of the institution or organization in which they wish to carry out their research or study project, specifying the type of support services and facilities that the institution or organization is prepared to provide during the period of the sabbatical leave.

6. All proposals will be evaluated by a selection committee on the basis of the criteria set out in administrative instruction ST/AI/2000/4.

7. Each applicant and his/her head of office or department will be informed of the decision of the Selection Committee. The staff members selected will be requested to accept in writing the specified conditions of the award.

8. The application form contained in annex I is also available online in English and French (United Nations Intranet — Forms) as form P.298 (7-04)-E and -F.

Annex I

Sabbatical leave programme application form

For 2005

Please complete this form and submit it to the Officer-in-Charge, Sabbatical Leave Programme, Room S-2500, Division for Organizational Development, Office of Human Resources Management, United Nations, New York, NY 10017, together with your research or study project proposal, by 5 November 2004.

A. Personal information

Name (last, first, middle initial) _____ Index No. _____

Functional title/Field of work _____

Category/level _____ Type of contract _____

Contract expiration date _____

Department/division/office _____

Name of approving head of office, department or mission (Director or above) _____

Duty station _____

Telephone _____ E-mail _____

EOD (Secretariat) _____ EOD (present duty station) _____

Title of proposed research or study project _____

B. Background

1. **Relevant work experience. Please indicate any professional experience that enhances your ability to carry out your proposed research or study project.**

2. University studies

Degree	*University/country*	*Area of study*	*Year graduated*

3. **Recommendations: please arrange to have two letters of recommendation sent directly to the Officer-in-Charge, Sabbatical Leave Programme, Room S-2500, Division for Organizational Development, Office of Human Resources Management, United Nations, New York, NY 10017, by 5 November 2004. These recommendations should be provided by professionals, within or outside the United Nations, who are familiar with your work and are in a position to appraise your ability to carry out the research or study project you have proposed and to attest to your ability to undertake independent work. In the space provided, give the names, titles and institutional affiliations of the professionals who will be sending the letters of recommendation.**

Name	*Title*	*Institutional affiliation*

4. If relevant, please indicate below your teaching and/or research experience, including a list of your publications, if any (attach an additional sheet if necessary).

☐ Teaching ☐ Research ☐ Publications

Date	*Subject matter*	*Institution/place*

C. Placement

1. Please indicate the name and address of the institution or organization in which you wish to carry out your research or study project. Please attach copies of any preparatory correspondence relevant to the proposed research or study project between you and the institution.

Name of institution/organization	*Address*

2. Which of the following services and/or facilities, if any, is the institution willing to provide to you during the period of your sabbatical leave?

☐ Adviser

☐ Office space

☐ Communication facilities (fax, telephone, computer)

☐ Other _____

N.B. Please keep in mind that, if selected, you are responsible for finalizing arrangements made thus far and for carrying out any related administrative work.

_____ _____

Signature of staff member Date

Reminder: the endorsement of the head of your department, office or mission must be attached.

Annex II

Institutional members of the Academic Council on the United Nations System

American Society of International Law

Arias Foundation for Peace and Human Progress

Center for Environmental Policy
Bard College

Center for the Global South
The American University

Center of International Studies
Princeton University

Center on International Cooperation
New York University

Centre for Foreign Policy Studies
Dalhousie University

Centre for the Study of Globalisation and Regionalisation
University of Warwick

Centro de Estudios Internacionales
El Colegio de México

Centro de Investigación y Docencia Económicas A.C.

Dag Hammarskjöld Library
United Nations

Defence Forces Library
The Military College

Department of Political Science
University of Alberta

Department of Political Science
University of Lund

Dickey Center for International Understanding
Dartmouth College

Elliott School of International Affairs
The George Washington University

Fletcher School of Law and Diplomacy
Tufts University

Global Affairs Institute
Syracuse University

Graduate Institute of International Studies
University of Geneva

Harvard College Library

Institute for Security Studies

Institute for the Study of International Organizations
Long Island University — Brooklyn Campus

Institute of Social Studies, The Hague

Institute of World Economy and International Relations

International Cooperation Research Association

International Institute for Democracy and Electoral Assistance

International Institute for Labour Studies
International Labour Organization

International Peace Academy

Joan B. Kroc Institute for International Peace Studies
University of Notre Dame

Mershon Center
The Ohio State University

Netherlands Institute of International Relations, "Clingendael"

Norwegian Institute of International Affairs

Ralph Bunche Institute on the United Nations
City University of New York

Richard L. Walker Institute of International Studies
University of South Carolina

Stanley Foundation

Stiftung Entwicklung und Frieden Development and Peace Foundation

Thomas J. Watson Jr. Institute for International Studies
Brown University

United Nations Association of the United States

United Nations Research Institute for Social Development

United Nations Staff College

United Nations Studies at Yale
Yale University

United Nations University

United States Institute of Peace

Universidad Externado de Colombia

Annex III

United Nations University participating centres

Under its Charter, adopted by the General Assembly in 1973, the United Nations University (UNU) is a voluntarily funded autonomous organ of the General Assembly that engages in research, postgraduate training and the dissemination of knowledge on pressing global problems of human survival, development and welfare that are the concern of the United Nations and its agencies. UNU is organized on a networking principle. The University headquarters in Tokyo, through its Academic Division, coordinates a number of programmes and project networks. UNU research and training centres conduct in-house research and training and coordinate research and training involving institutions in many countries.

The locations of specific UNU research and training centres where staff members on sabbatical leave might consider pursuing study projects, and the respective fields of study, include:

1. **UNU headquarters, Academic Division, Tokyo**

   Peace and governance

   Sustainable development

2. **UNU Institute of Advanced Studies, Tokyo**

   Eco-restructuring for sustainable development

   Mega-cities and urban development

   Multilateralism and governance

3. **UNU World Institute for Development Economics Research, Helsinki**

   Economics of transition

   Liberalization and development in sub-Saharan Africa

   Institutional and distributive issues

   International finance and economic issues

   Global governance

4. **UNU Institute for New Technologies, Maastricht, the Netherlands**

   Socio-economic implications of new technologies

United Nations ST/IC/2004/28

Secretariat

26 July 2004

Information circular*

To: Members of the staff

From: The Under-Secretary-General for Management

Subject: **Practice of the Secretary-General in disciplinary matters, 2002-2003**

1. The purpose of the present circular is to continue to inform staff members of the practice of the Secretary-General in exercising his authority in disciplinary matters under article X of the United Nations Staff Regulations. The first information circular of this kind, ST/IC/2002/25, which covered the period from January 2000 through February 2002, was provided at the request of the Accountability Panel, which was established by the Secretary-General by ST/SGB/2000/14 of 23 October 2000 to ensure that the Secretariat addresses the findings of its oversight review bodies from a systemic perspective, and to reinforce existing accountability mechanisms. This was done to raise awareness and enhance transparency regarding accountability in disciplinary matters among managers and staff. The present information circular covers the period from March 2002 through December 2003.

I. Overview of administrative machinery in disciplinary matters

A. Rules governing the conduct of staff members[1]

2. Article 101, paragraph 3, of the Charter of the United Nations states that the "paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence and *integrity*" (emphasis added).

3. Article I of the Staff Regulations and chapter I of the Staff Rules, both entitled "Duties, obligations and privileges", set out the basic values expected of

* The present circular will be in effect until further notice.

[1] For a full overview of relevant provisions, see Secretary-General's bulletin ST/SGB/2002/13, "Status, basic rights and duties of United Nations staff members", issued at the request of the General Assembly. Provisions relating to the status, rights and obligations of staff members, and to disciplinary matters, can also be found in the electronic Human Resources Handbook (http://intranet.un.org/hr_handbook) under "Status, basic rights and duties" and "Disciplinary".

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international civil servants because of their status, as well as particular manifestations of such basic values. Particular reference is made to staff regulation 1.2 and staff rule 101.2 for specific instances of expected or prohibited conduct.

B. Misconduct

4. Article X of the Staff Regulations, entitled "Disciplinary measures", provides in regulation 10.2 that "the Secretary-General may impose disciplinary measures on staff members whose conduct is unsatisfactory". Staff rule 110.1, on misconduct, provides that "failure by a staff member to comply with his or her obligations under the Charter of the United Nations, the Staff Regulations and Staff Rules or other relevant administrative issuances, or to observe the standards of conduct expected of an international civil servant, may amount to unsatisfactory conduct ... leading to the institution of disciplinary proceedings and the imposition of disciplinary measures for misconduct". Similarly, staff rule 101.2 (a) provides that "disciplinary procedures ... may be instituted against a staff member who fails to comply with his or her obligations and the standards of conduct set out in the Charter of the United Nations, the Staff Regulations and Rules, the Financial Regulations and Rules, and all administrative issuances". Within these parameters, the Secretary-General has broad discretion in determining what constitutes misconduct and in imposing disciplinary measures. Administrative instruction ST/AI/371, on revised disciplinary measures and procedures,[2] provides further examples of failure by staff members to comply with obligations and to observe the expected standards of conduct.

C. Due process

5. Where the head of office or responsible officer believes, on the basis of a preliminary investigation, that disciplinary procedures may be warranted, he or she will refer the matter to the Assistant Secretary-General for Human Resources Management for a decision on whether to pursue the matter as a disciplinary case.[3] Preliminary investigations may be undertaken by the head of office or his/her designees, or by the Office of Internal Oversight Services, at its own initiative, or at the request of the head of office. If the Assistant Secretary-General for Human Resources Management decides to pursue the matter, the first step is to notify the staff member in writing of the allegations as well as of his or her right to seek the assistance of counsel. The staff member is given a reasonable opportunity to respond to the allegations. In the light of the comments provided by the staff member, it is decided whether to close the case, to refer it to a Joint Disciplinary Committee for advice or to summarily dismiss the staff member.

6. While the Secretary-General has broad discretionary authority in deciding upon an appropriate measure in each case, no staff member can be subjected to disciplinary measures until the matter has been referred to a Joint Disciplinary Committee for advice as to what measures, if any, are appropriate. Such referral to a

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[2] See the electronic Human Resources Handbook referred to in footnote 1 above. Also relevant is administrative instruction ST/AI/379, on procedures for dealing with sexual harassment.

[3] The head of administration in a mission will refer the case to the Department of Peacekeeping Operations, Personnel Management and Support Service, at Headquarters, which will refer the matter to the Office of Human Resources Management if it concurs with the mission.

Joint Disciplinary Committee may be waived when the staff member concerned and the Secretary-General agree on a disciplinary measure and the proceedings would therefore serve no valid purpose. Prior referral to a Joint Disciplinary Committee is not required when the seriousness of the case warrants summary dismissal. Staff members who have been summarily dismissed may, at their initiative, seek a review of their case by a Joint Disciplinary Committee. All staff members subjected to disciplinary measures ultimately have recourse to the United Nations Administrative Tribunal.[4]

D. Disciplinary measures

7. Staff rule 110.3 provides that disciplinary measures can take one or more of the following forms (i.e., more than one measure can be imposed in each case):

(a) Written censure by the Secretary-General;

(b) Loss of one or more steps in grade;

(c) Deferment, for a specified period, of eligibility for within-grade increment;

(d) Suspension without pay;

(e) Fine;

(f) Demotion;

(g) Separation from service, with or without notice or compensation in lieu thereof;

(h) Summary dismissal.

8. In determining the appropriate measure, every case is decided on its own merits, taking into account the particulars of the case, including aggravating and extenuating circumstances.

E. Other measures

9. Reprimands, written or oral, by a supervisory official are not considered disciplinary measures. Like warnings or letters of caution, they are managerial, not disciplinary measures. However, they are also important measures to uphold standards of proper conduct and to promote accountability. Where inappropriate behaviour affects performance, the issue is addressed in the context of performance management. This may include training, counselling, withholding of salary increments, non-renewal of contract or termination of appointment.

[4] Numerous judgements of the United Nations Administrative Tribunal relate to disciplinary measures and show the practice of the Secretary-General for those cases brought before the Tribunal. Digests of these can be found in the online "Digest of Cases and Jurisprudence" (see "Administrative Tribunal", under the "Resources" column on the iSeek Intranet home page).

II. Summary of practice in disciplinary cases for the period March 2002 through December 2003

10. For each case that led to the imposition of one or more disciplinary measures, a summary is provided below, indicating the nature of the misconduct and the disciplinary measure(s) imposed by the Secretary-General. The function or other particulars of the staff member are provided only when these played a role as aggravating circumstances in determining the measures to be taken (e.g., a travel assistant accepting gifts from a United Nations vendor). Conduct issues that were dealt with by means other than disciplinary measures are not listed here.

11. Not every case brought to the attention of the Secretary-General results in disciplinary or other measures being taken. When a review by the Office of Human Resources Management reveals that there is not sufficient evidence to pursue a matter as a disciplinary case, or when a staff member provides a satisfactory explanation in response to allegations, the case is closed and the staff member considered cleared of the allegations. Cases may also be closed when a staff member retires or is otherwise separated from the Organization before disciplinary proceedings are concluded, as the Secretary-General does not have the authority to impose disciplinary measures on former staff members. In these cases a record is made and placed in the official status file.

1. Theft and misappropriation

(a) A staff member abused her supervisory authority and used the property and assets of the Organization, including its human resources, primarily for a private purpose, and not for the benefit of the Organization.

Disposition: summary dismissal.

(b) A staff member, whose official duties gave him access to most areas of the United Nations facility, took a computer that belonged to the Organization.

Disposition: summary dismissal.

2. Fraud and misrepresentation

(a) Three staff members used, separately from each other, and for their personal benefit, the telephone personal identification number (PIN) of other staff members without their knowledge or consent.

Disposition in all three cases: separation from service without notice.

(b) Over a period of several months, a staff member misrepresented, on a number of occasions, the identity of an individual, who was neither a United Nations staff member nor the staff member's recognized dependant, in order for the individual to obtain treatment at a hospital and to benefit from United Nations medical insurance coverage to which she was not entitled.

Disposition: separation from service, with compensation in lieu of notice.

(c) A staff member abused his official position with the Organization for the private gain of a third person. In particular, the staff member claimed medical benefits for the treatment of a non-recognized dependant.

Disposition: separation from service, with compensation in lieu of notice.

(d) Using his status as a United Nations staff member, a staff member assisted an individual not related to the United Nations in obtaining a tourist visa, although the staff member was aware that the individual intended to use the tourist visa for a longer period than to simply accompany the staff member on a holiday. Owing to the staff member's repeated misrepresentations during the different stages of the disciplinary proceedings, it was inferred that the staff member knowingly participated in an illegal immigration scheme. These actions negatively affected the interest and the public image of the Organization.

Disposition: separation from service, with compensation in lieu of notice.

(e) A staff member created, by forgery, two new letters from an original document he had received from the Organization and submitted these in support of two different visa applications. The Secretary-General considered that the staff member's actions also negatively affected the interest and public image of the Organization.

Disposition: separation from service, with compensation in lieu of notice.

(f) A finance assistant engaged in financial transactions with individuals whose claims he was processing in his official capacity. Although it was not established that he accepted any personal benefit from a third person in exchange for performing an official act, it was found that he improperly used his official position to receive loans from third parties.

Disposition: written censure, deferment for two years of within-grade increment and suspension without pay for three months. In addition, the staff member was reassigned to clerical functions unrelated to any kind of financial transactions or the processing of claims.

(g) A staff member altered and inflated figures on medical insurance claim forms that he submitted for reimbursement under United Nations medical insurance coverage. The staff member's explanation that his wife had inflated the invoices was not considered credible. Even if she had done so, the Secretary-General considered it the staff member's own responsibility to ensure that the invoices he submitted were accurate.

Disposition: separation from service, with compensation in lieu of notice.

(h) Two staff members schemed to bring an individual not related to the United Nations illegally into a host country of the Organization under a false identity and using falsified documentation, which constituted a conspiracy to violate local immigration laws. One of the two staff members sent the passport of his spouse, which contained a visa for the host country, to the non-United Nations staff member, allowing her to illegally enter the host country posing as his spouse. This behaviour was aggravated by the fact that it could reflect negatively on the image of the Organization in the host country. The other staff member also falsified documentation and submitted it, with fraudulent intent, in connection with a United Nations dependency benefit.

Disposition in each case: summary dismissal.

(i) A staff member attempted to defraud the Organization by submitting false certification in connection with a claim for reimbursement by the United Nations. The staff member also misused United Nations equipment by driving a

United Nations-owned vehicle recklessly and dangerously. He failed to respond fully to requests for information from investigating officials, misrepresenting facts to United Nations security personnel as well as to the Board of Inquiry. In addition, he further intimidated staff members and engaged in conduct intended to interfere with their ability to discharge their official duties by making veiled threats and intimidating comments to staff members, including a subordinate. Moreover, the staff member bribed third parties, including an accident victim, witnesses and the local police, with a view to causing them to perform or fail to perform an official act.

Disposition: summary dismissal.[5]

(j) Three staff members filed tax returns with national authorities that differed from the copies they had provided to the United Nations and failed to report income tax refunds received from the national authorities, thereby improperly benefiting from overreimbusement by the United Nations.

Disposition in each case: demotion, by one level, with no possibility of promotion.

(k) A staff member altered a cheque and forged a signature in order to substantiate a claim for reimbursement of a real estate agency fee, available under the rental subsidy scheme, and misled investigators.

Disposition: demotion by two levels and written censure.

(l) A staff member took a bank card and PIN belonging to the spouse of another staff member and used the card to make several withdrawals from their joint bank account.

Disposition, after waiver of referral to the Joint Disciplinary Committee: separation from service, without notice, compensation in lieu thereof or termination indemnity.

(m) A staff member engaged in a pattern of deceit and misrepresentation in order to avoid paying monthly alimony to the former spouse as ordered by the courts of the host country and for which (suspended) jail sentences were imposed. The staff member repeatedly made false declarations to the national authorities and otherwise caused embarrassment to the Organization with respect to its relations with the host country, and failed to supply relevant information to the Secretary-General.

Disposition: summary dismissal.

(n) A staff member participated in a fraudulent scheme regarding contract bidding procedures and misused his position in the procurement division of a mission. The special circumstances of the case, namely, that the acknowledged main perpetrator of the scheme had left the United Nations and that there had been insufficient supervision of the staff member, which may have facilitated the fraud, were considered mitigating, but not exculpatory factors.

Disposition: deferment of eligibility for within-grade increment for two years and written censure. In addition, the staff member was given new duties that were unrelated to any kind of financial transactions.

[5] At the finalization date of the present information circular, the staff member's request for review of the disciplinary measure imposed was under review by the Joint Disciplinary Committee, New York.

3. Harassment and sexual harassment

(a) In a private conversation with a colleague, a staff member referred to other colleagues in an inappropriate manner. The staff member acknowledged that the comment was inappropriate and unacceptable and apologized to the colleague to whom the comment was made as well as to other staff in the department concerned.

Disposition, after waiver of referral to a Joint Disciplinary Committee: written censure.

(b) A staff member engaged in conduct that was disruptive to the normal functioning of the office and issued defamatory and threatening statements against the head of office and other senior United Nations officials. The acts of misconduct were considered so severe as to make any further constructive working relationship between the staff member and the Organization impossible.

Disposition: separation from service with compensation in lieu of notice.

4. Unauthorized outside activities

A staff member engaged in outside employment without the prior approval of the Secretary-General, as required under staff regulation 1.2 (o). His outside employment consisted of another full-time job, which he had concealed from the Organization for a protracted period of time.

Disposition: summary dismissal.

5. Other

(a) A staff member used privileged access to the Integrated Management Information System to improperly alter official records by creating an untruthful personnel action stating that another staff member had been suspended from duty with full pay pending investigation into possible misconduct. The Secretary-General observed that even an act that may be perceived as a prank can amount to misconduct.

Disposition: written censure and deferment, for one year, of eligibility for within-grade increment.

(b) A staff member accessed the commercial e-mail account of another staff member and impersonated that staff member.

Disposition: written censure.

(c) A municipal court convicted a staff member of extortion and imposed a suspended sentence of one year of imprisonment. The Secretary-General considered the offence for which the staff member was convicted a serious violation of local laws.

Disposition: summary dismissal.

(d) A staff member transported three women and their procurer in a United Nations vehicle to a location where they engaged in prostitution activities. While it was not established that the staff member was in any way connected to organized crime or furthering prostitution, his visible association with prostitution and his use of a United Nations vehicle had potentially serious, negative effects on the public

image of the Organization, particularly in the light of campaigns conducted by the United Nations to combat prostitution and prostitution-related crimes in the area.

Disposition, after waiver of referral to a Joint Disciplinary Committee: suspension from duty without pay for a period of one month.

(e) A staff member, who subsequently retired, negligently failed to properly supervise and monitor the activities of a major project and failed to comply with the Organization's procedures in respect of external funding.

Disposition: written censure.